

**A RESOLUTION
BY COUNCIL MEMBER CLAIR MULLER**

02-R-1773

AS AMENDED BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING REIMBURSEMENT TO THE CITY FOR WORK UNDERTAKEN BY A CITY CONTRACTOR TO RELOCATE AN EXISTING SEWER LINE AT 2586 HABERSHAM ROAD BY THE CITY'S ACCEPTANCE OF A CHECK (#8809828533) IN THE AMOUNT OF \$13,758.86 FROM WEIDMANN & ASSOCIATES, INC., TO BE DEPOSITED IN FUND, ACCOUNT AND CENTER NUMBER 2J24 469116 M24I02109999; FURTHER AUTHORIZING THE CITY TO ACCEPT A RELOCATED SEWER EASEMENT AND TO EXECUTE AND DELIVER TO THE OWNERS OF 2586 HABERSHAM ROAD ANY DOCUMENTS NECESSARY TO EVIDENCE THE CITY'S RELINQUISHMENT OF THE PRIOR SEWER EASEMENT AND ACCEPTANCE OF THE NEW SEWER EASEMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta had previously budgeted money for a planned sewer rehabilitation through the Rivers Road portion of the Sewer System Evaluation Survey project along a original easement at 2586 Habersham Road; and

WHEREAS, the costs of this SSES rehabilitation were budgeted to be \$17,426.00 and paid from Fund, Account and Center Numbers: 2J21 574001 M24I02109999, 2J24 M24I02109999 574001, and 2J25 574001 M24I02109999; and

WHEREAS, the plan for the rehabilitation includes bursting an existing sewer pipe located under property owned by Perry and Jane Ballard at 2586 Habersham Road; and

WHEREAS, the Ballards, instead, desire to relocate the sanitary sewer line currently located on their property and have agreed to reimburse the City for the additional costs associated with the relocation; and

WHEREAS, the sewer rehabilitation Contractor for the Rivers Road Sewer Rehabilitation Project (Roland Pugh Construction, Inc.) has submitted a cost for re-routing the sanitary sewer line at 2586 Habersham Road in the amount of \$31,184.86, reflecting a difference in cost of \$13,758.86 for the relocation of the sanitary sewer line under the Ballard's property, as opposed to the planned pipe bursting; and

WHEREAS, the Ballards have submitted a check in the amount of \$13,758.86 to reimburse the costs to the City above the amount previously budgeted for bursting the existing sewer line; and

WHEREAS, the Ballards have also submitted a signed letter to the City, setting forth the terms they have agreed to for the Contractor for the City to perform the sewer relocation work concerning their property; a copy of that letter is attached as Exhibit 1; and

WHEREAS, upon successful completion of the sanitary sewer line relocation under the Ballard's property, the City will relinquish its easement along the original alignment and will accept from the Ballards a twenty-foot easement along the newly relocated sanitary sewer line alignment;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA that

SECTION 1: The Commissioner of the Department of Public Works of the City of Atlanta is authorized to accept from the Ballards a right of entry onto their property, 2586 Habersham Road, as evidenced by Exhibit 1 attached, for the purpose of relocating the sanitary sewer service line existing on the property, to be approved by the City Attorney as to form.

SECTION 2: the City of Atlanta is authorized to accept a check (#8809828533) in the amount of \$13,758.86 from Weidmann & Associates, Inc., to be deposited in City of Atlanta account number 2J24 469116 M24I02109999.

SECTION 3: The City is further authorized to accept from the Ballards a Relocated Easement that indicates that the former easement on the Ballard's property is relocated to a twenty-foot easement aligned along the newly relocated sanitary sewer service line to be located upon the Ballard's property, and to execute and deliver to the Ballards any documents, including a Quitclaim Deed, necessary to evidence the City's relinquishment of the prior easement under the Ballard's property, to be approved by the City attorney as to form.